GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department – V&E Report – Allegation of irregularities in execution of work "Providing road from Godamguda to Zaidpalli in Ranga Reddy District" – Disciplinary proceedings and charges framed against **Sri P. Yellamanda, formerly Deputy Executive Engineer,** PR Sub-Division, Vikarabad, Ranga Reddy District and presently working as Deputy Executive Engineer, P.R, Prakasam District - Case entrusted to C.O.I. – Inquiry Report - Representation of Charged Officer – Punishment of stoppage of one (1) annual grade of increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 besides recovery of an amount of Rs.7,106/- with interest at bank rate + 2% as per Article 300 of A.P. Financial Code, Volume-I from the date of establishment of charge in the Inquiry – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.83 **Dated:23.01.2024.**

Read the following:

1. From the DG, V&E, Vigilance Report No.132 (661/V&E/E2/2009), dated: 21.10.2010.
2. G.O.Rt.No.1626, PR&RD(Vig-I) Department, Dt: 02.11.2011.
3. From Sri P. Yellamanda, Dy.EE, PR Sub-Division, Vikarabad (dismissed from service), written statement of defence dt: 12.03.2012.
4. G.O.Rt.No.1182, PR&RD (Vig-I) Department, Dt: 03.07.2012.
5. From Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries, D.O. Letter NO. 207/COI-LP/2012, dated: 06.09.2012.
6. From the Secretary to Government, PR&RD. Department, Telangana, Hyderabad, Letter No.27292/Vig-I/A2/2010-10, dated:31.08.2020 and further letter even no. dt:16.07.2021.
7. G.O.Rt.No.684, PR&RD (Vig-II) Department, Dt:24.12.2021.
8. From Sri R.P.Thakur,IPS (Retd.), Member, Commissioner of Inquiries, D.O. Letter NO.128/COI-RPT/2021, Dated: 08.03.2022.
9. Govt. Memo No, PREOVIG (VAE)/6/1324825 (Comp. No.)/ Vig. II/2021-2, Dated: 18.08.2022.
10. From the ENC,PR, Letter No. Vig. III (1)/42925/2005, dated: 18.10.2022.

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ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above relating to certain allegation of irregularities in execution of work "Providing road from Godamguda to Zaidpalli in Ranga Reddy District", Government, have initiated disciplinary proceedings and framed following article of charge under Rule 20 of A.P.C.S (CC&A) Rules, 1991 against **Sri P. Yellamanda, Deputy Executive Engineer, PR Sub-Division, Vikarabad,** among others, vide reference 2nd read above, with a direction to submit his written statement of defence :

P.T.O

Charge :

That Sri P. Yellamanda, Deputy Executive Engineer, PR Sub-Division (dismissed from service), Ranga Reddy District, has misused his official position for his personal gain and committed irregularities in execution of work "Providing road from Godamguda to Zaidipalli in Ranga Reddy District" and he check measured the substandard work and excess measurements resulting loss to the Government in contravening the APCS (Conduct) Rules, 1964. Hence the charge.

2. In the reference 3rd read above, the charged officer has submitted his written statement of defence denying the charge.

3. In the reference 4th read above, Government have appointed Sri Lingaraj Panigrahi, IAS, Member, C.O.I as the Inquiry Authority to inquire into the charges framed against Sri P. Yellamanda, Deputy Executive Engineer Panchayat Raj (dismissed from service in another case of allegation of corruption) and two (2) other co-charged officers viz., Sri K. Kumar, Executive Engineer, Panchayat Raj, Vikarabad and Sri G. Srinivas, Assistant Engineer, Panchayat Raj, Ex. Dharoor, in the matter.

4. In the reference 5th read above, the Member, C.O.I & I.A has furnished inquiry report dt:06.09.2012. The Inquiry Authority, while giving findings in respect of other two co-charged officers, has mentioned that the charged officer Sri P. Yellamanda, Deputy Executive Engineer, PR, was dismissed from service in ACB trap case vide G.O.Ms.No.219, PR&RD (Vig.I) Department, dated:27.07.2011. Since dismissed employees are no longer Government employees and they are not covered under CCA Rules, the Inquiry Authority has therefore stopped his enquiry at the plea stage only.

5. In the reference 6th read above, the Secretary to Government, PR&RD Department, Telangana, Hyderabad, has informed that the Charged Officer **Sri P. Yellamanda, former Deputy Executive Engineer, PR,** Vikarabad (dismissed from service on the allegation of corruption) was subsequently reinstated into service keeping in view the orders of the Hon'ble High Court of Andhra Pradesh in W.P. No. 36534 of 2012, dt.24.04.2013 vide G.O.Rt.No.1284, PR&RD (VIG.I) Department, dt:05.08.2013 and he is working in Andhra Pradesh State. Accordingly, while furnishing copies of documents connected to the above V&E case, he has requested the Government of Andhra Pradesh for taking further action in the matter.

6. Government, after examination of the matter, have taken a decision to conduct further inquiry against the charged officer Sri P. Yellamanda, former Deputy Executive Engineer, PR, Vikarabad and presently working as Deputy Executive Engineer, PR, Prakasam District from the stage where it was stopped. Accordingly, vide

Cont.,P.3,

reference 7th read above, Government have appointed Sri R.P. Thakur, IPS (Retd), Member, Commissioner of Inquiries, General Administration Department as the Inquiry Authority to conduct further inquiry into the charge framed against the charged officer.

7. In the reference 8th read above, Sri R.P. Thakur, IPS (Retd.), Member, Commissioner of Inquiries & Inquiry Authority has furnished inquiry report dt:08.03.2022. The Inquiry Authority has held that the **count (a) of charge** framed against the charged Officer Sri P. Yellamanda, Deputy Executive Engineer i.e., that the Charged Officer check measured the substandard work recorded by Assistant Engineer is **held as not proved** and **the Count (b) of charge** i.e., that the Charged Officer check measured the excess measurement of 60 meters, recorded by Assistant Engineer, is **held as proved.**

8. In the reference 9th read above, Government have furnished a copy of the inquiry report to the Charged Officer Sri P. Yellamanda, former Deputy Executive Engineer, Panchayat Raj, Sub-Division, Vikarabaad and presently working as Deputy Executive Engineer, Panchayat Raj and PA to Executive Engineer, Panchayat Raj, Ongole, Prakasam District as per Rule 21 (2) of APCS (CC&A) Rules, 1991 for his representation if any on the findings of the Inquiry Report to Government for taking further action in the matter.

9. In the reference 10th read above, the Engineer-in-Chief, Panchayat Raj has furnished the representation dt:25.09.2022 of the charged officer Sri P. Yellamanda, Deputy Executive Engineer, (PR) to Government for taking further action. The Charged Officer in his representation has stated that the Superintending Engineer, Panchayat Raj, Hyderabad who is the first Presenting Officer had attended field inspection with staff on 08.08.2012 after (3) years of execution and reported the road length as 1490 meters without measuring actual length and the mistakes happen by situation and not by intention. He has requested to consider his representation and do justice to him.

10. Government have examined the matter with reference to findings of the Inquiry Authority. The I.A with regard to **count (b) of charge** (the Charged Officer, check measured the excess measurement of 60 meters, recorded by Assistant Engineer, is held proved against the charged officer). As per the Vigilance Enforcement Report dt:21.10.2010 that the Vigilance and Enforcement officials observed that the length of the road measured at site is 1.490 KM as against recorded length of 1.55 KM (i.e., short of 60 meters) and the Vigilance & Enforcement arrived at an amount of Rs.14,211/- as recovery towards excess measurement of 60 meters length of road for which the charged officer Sri P. Yellamanda, Deputy Executive Engineer (PR) as well as Sri G. Srinivas, the then Assistant Engineer, Panchayat Raj, are responsible. As such, the request of charged officer is devoid of merits and he is liable for punishment besides loss of Rs.7106/- being half of total loss of Rs.14,211/- towards excess check measurement of 60 meters length of road, in the matter.

Cont.,P.4,

11. Further, as per the Amendment to the Article 300 of A.P. Financial Code, Volume-I made as per G.O.Ms.No.33, orders Finance (TFR.I) Department, Dt:09.02.2006, that "recovery from the Government servant for the losses by misappropriation of Government money shall be, recovery of the misappropriated amount / loss caused at bank rate as fixed by RBI + 2%".

12. Accordingly, Government, after careful examination of the matter, hereby order to impose a punishment of "withholding of one (1) annual Grade Increment without cumulative effect" against **Sri P. Yellamanda, the then Deputy Executive Engineer**, PR, Vikarabad, Ranga Reddy District and presently working as Deputy Executive Engineer (PR) and as PA to EE, PR Division, Markapur, Prakasam District under Rule 9 (iv) of APCS (CC&A) Rules, 1991 besides recovery of an amount of Rs. 7106/- in lumpsum with interest as Bank Rate + 2% as per Article 300 of A.P. Financial Code (Volume-I) from the date of establishment of charge in the enquiry towards loss caused on his part from him in the matter.

13. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada, shall take further action to impose the above punishment and to recover the above amount accordingly from the charged officer and also to remit the same to the relevant Head of Account in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada.
Sri P. Yellamanda, the then Deputy Executive Engineer, PR, Vikarabad, Ranga Reddy District and presently working as Deputy Executive Engineer (PR) and as PA to EE, PR Division, Markapur, Prakasam District
through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada)
(with a request to serve the order on the individual and furnish served copy to Government).

Copy to:

The Secretary to VC, A.P. Vigilance Commission, Velagapudi
The General Administration (Vigilance & Enforcement) Department, A.P., Vijayawada.
The Panchayat Raj and Rural Development (Vig. Engg) Department, Government of Telangana, Hyderabad.
The Panchayat Raj & Rural Development (Estt.I) Department.
OSD to the Hon'ble Dy.CM for PR&RD Department.
PS to Spl. CS to Govt, PR&RD Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER